

REMARKS

Claims 1-48 were pending and presented for examination. In an Office Action dated July 5, 2007 claims 1-48 were rejected. Applicants are canceling claims 4, 28, and 32 and are amending claims 1-3, 5-9, 11, 14-15, 17-24, 27, 29-31, and 33-48 in this Amendment and Response. These changes do not to introduce new matter, and their entry is respectfully requested. In view of the Amendments herein and the Remarks that follow, Applicants respectfully request that Examiner reconsider all outstanding objections and rejections, and withdraw them.

Amendments to the Specification

Applicants are amending the specification to remove the multiple continuation-in-part priority claims. This amendment is further accompanied by a substitute Application Data Sheet also indicating the amendment to the priority claims. Applicants have further amended the specification to include a serial number for a related application previously identified by inventor, title, and filing date. This amendment does not add any new matter. Applicants respectfully request that Examiner enter the amendments to the specification.

Response to Rejection Under 35 USC 102(e) in View of Blanco

Examiner rejects claims 1, 3-6, 11, 13-28, 37-43, and 45 under 35 USC § 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2005/0064935 to Blanco (“Blanco”). This rejection is now traversed.

Claim 1, as amended, recites:

A system for permitting user interaction with media data analysis and media representation generation, the system comprising:

a user interface for receiving instructions from a user to control an analysis of media content and generation of a printable representation of the media content;

a media analysis module communicatively coupled to the user interface, the media analysis module configured to analyze features of the media content based at least in part on the instructions received from the user;

a media representation generation module for generating a printable representation of the media content based at least in part on the analyzed features from the media analysis module and the instructions received from the user; and

an output device for printing the printable representation of the media content to a tangible medium.

Claim 27 recites a method having similar claim elements. The claimed invention permits user interaction with media data analysis and media representation generation. A user interface receives instructions from a user to control an analysis of media content and generation of a printable representation of the media content. A media analysis module analyzes features of the media content based on the user instructions. A media representation generation module generates a printable representation of the media content using the analyzed features and the user instructions. The printable representation is printed by an output device to a tangible medium. Thus, the system advantageously allows a user to control printing of media based on analyzed features of the media.

Blanco does not anticipate the claimed invention because Blanco fails to disclose, for example, analyzing features of media content based on instructions from a user, generating a printable representation of the media content based on analyzed features and the instructions, or printing to a tangible medium. Rather, Blanco merely discloses an application for a gaming system that allows a user to create soundtracks for playback during execution of the game. (Blanco, paragraph [0007]).

The Examiner states that Blanco discloses a module for analyzing features of the media content at paragraph [0053]. However, the “features” referred to in Blanco are user-

selectable functions provided by the application such as allowing a user to view high scores or create a soundtrack. Thus, Blanco only mentions features of an application and not features of the media content itself. Furthermore, Blanco does not disclose analyzing features to enable generation of a printable representation of the media. Rather, Blanco does not disclose analyzing features of media content at all.

Blanco further does not disclose generating a printable representation of media content based on analyzed features and user instructions or outputting the printable representation. The Examiner recites that Blanco discloses media representation generation in paragraph [0007]. However, in the cited section Blanco merely discloses creating, editing, and playing soundtracks. The content of the media is not printed to a tangible medium but is instead only outputted in an audio format.

Based on the above amendment and the remarks, Applicants respectfully submit that for at least these reasons claims 1 and 27 are patentably distinguishable over the cited reference. Dependent claims 3-6, 11, 13-26, 28, 37-43 and 45 incorporate all the limitations of their respective base claims and are patentable over Blanco for at least the same reasons as above. Therefore, Applicants respectfully request that Examiner reconsider and withdraw the rejection.

Response to Rejection Under 35 USC 103(a) in View of Blanco and Freedman

The Examiner rejects claims 2, 7-10, 12, 29-36, 44, and 46-48 under 35 USC § 103(a) as allegedly being unpatentable in view of Blanco and U.S. Patent Application Publication No. 2004/0249650 (“Freedman”). This rejection is respectfully traversed.

The claimed invention is patentable over Blanco and Freedman because Freedman is not properly available as a prior art reference. Freedman was filed on July 14, 2004 *after* the

March 30, 2004 filing date of the present application. Freedman claims priority from U.S. Provisional Patent Application No. 60/350,345 filed on January 24, 2002 and U.S. Provisional Patent Application No. 60/306,142 filed on July 19, 2001. (Freedman, paragraph [0001]). However, both of these priority claims are improper and Freedman cannot be accorded the benefit of their filing dates.

35 U.S.C. 119(e)(1) recites:

An application for patent filed under section 111(a) or section 363 of this title for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in a provisional application filed under section 111(b) of this title, by an inventor or inventors named in the provisional application, shall have the same effect, as to such invention, as though filed on the date of the provisional application filed under section 111(b) of this title, **if the application for patent filed under section 111(a) or section 363 of this title is filed not later than 12 months after the date on which the provisional application was filed** and if it contains or is amended to contain a specific reference to the provisional application...

Freedman was filed on July 14, 2004, more than 12 months after the date of which either of the provisional applications were filed. Accordingly, Freedman is ***not*** entitled to the benefit of the filing date of either provisional application and instead has a reference date of July 14, 2004. Because Freedman's reference date is ***after*** the filing date of the present application, Freedman is not available as a prior art reference. Therefore, Applicants request withdrawal of the rejection under 35 U.S.C. 103(a).

It is noted that claim 2 has been re-written in independent form incorporating all the limitations of the original base claim, but has not been otherwise amended. Therefore, if the Examiner is to provide any new grounds of rejection to claim 2 in the next Office Action, this rejection would not be necessitated by an amendment to the claim. Accordingly, the next Office Action should not be made Final. See MPEP 706.07(a).

Conclusion

In sum, Applicants respectfully submit that claims 1-3, 5-27, 29-31, and 33-48, as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them. In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
Jonathan J. Hull et al.

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By: /Jason E. Amsel/

Jason E. Amsel, Registration No. 60,650
Patent Agent of Record
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: (650)-335-7692
Fax: (650) 938-5200